

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION (AT CINCINNATI)**

JON JERMER, : **Case No. C-1-02-448**
 :
 Plaintiff, : **Judge Sandra Beckwith**
 : **Magistrate Judge Hogan**
 v. :
 :
 SIEMENS ENERGY & : **AFFIDAVIT OF KEITH P. SPILLER**
 AUTOMATION, INC., :
 :
 Defendant.

County of Hamilton)
) ss:
State of Ohio)

I, Keith P. Spiller, Esq., being duly sworn, do hereby depose and say on personal knowledge as follows:

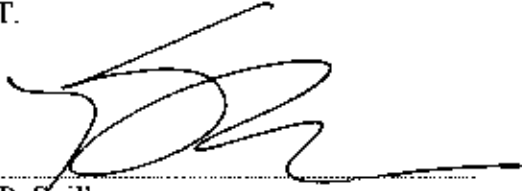
1. I am a partner in the law firm of Thompson Hine LLP and a member in good standing of the bar of this Court. I am the Trial Attorney for Defendant Siemens Energy and Automation, Inc., ("Siemens") in the above-captioned action.

2. Siemens incurred \$3,806.55 in deposition expenses. This amount is broken down as follows:

a.	Deposition transcript for Jon Jermer - Volume 1	\$955.85
b.	Deposition transcript for Jon Jermer - Volume 2	\$823.25
c.	Deposition transcript for Steven Kroeger - Volume 1	\$407.35
d.	Deposition transcript for Steven Kroeger - Volume 2	\$672.00
e.	Deposition transcript for Leslie J. Ungers	\$190.75
f.	Deposition transcript for John Hoover	\$552.00
g.	Deposition transcript for Chad McLelland	\$205.35

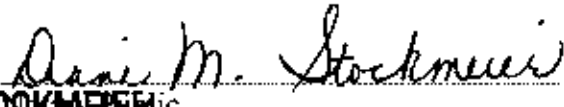
3. Attached hereto are true and accurate copies of invoices for each of the costs listed above. The invoice for the McLelland transcript (\$205.35) has not been paid as of today, but will be paid by Siemens shortly.

FURTHER, AFFIANT SAYETH NAUGHT.


Keith P. Spiller

Subscribed and sworn to before me on this 5th day of September 2003, to certify which witness my hand and seal of office.




DIANE M. STOCKMEIER
Notary Public, State of Ohio
My Commission Expires
September 29, 2006

TRI-COUNTY COURT REPORTING & VIDEO TAPE SERVICE

95 South Fourth Street
Batavia, Ohio 45103
Phone - 513-732-1477
Fax --- 513-732-0486

Invoice

Date: 2/10/2003

Invoice No: 2229

Fed. I. D. No: 31-0911462

InvoiceTo:

Thompson, Hine, LLP
 Keith P. Spiller, Esq.
 312 Walnut Street, Suite 1400
 Cincinnati, Ohio 45202-4029

Caption: Jon Jermer

vs. Siemens Energy & Automation Inc

Case No: C-1-92-448

COA No: n/a

Reporter(s): Connie Oelker

Date: Depo/Hrg	Description	Item	Qty.	Amount
12/5/2002	Expedited deposition transcript of Jon Jermer.	Pages, Original, Expedited	172	688.00
12/5/2002	Appearance for deposition.	Hours, Stenographer	6.5	260.00
		Tab(s)	17	2.55
2/8/2002	Mailed.	Postage	1	5.30

Terms: Net 60

Shipped Via: US Mail

Total: \$955.85

Payments/Credits: \$0.00

Balance Due: \$955.85

THANK YOU FOR YOUR BUSINESS!

E-mail: TriCountyCourt@aol.com

TRI-COUNTY COURT REPORTING & VIDEO TAPE SERVICE

95 South Fourth Street
Batavia, Ohio 45103
Phone - 513-732-1477
Fax - - - 513-732-0486

Invoice

Date: 3/6/2003

Invoice No: 2326

Fed. I. D. No: 31-0911462

InvoiceTo:

Thompson, Hine, LLP
 Keith P. Spiller, Esq.
 312 Walnut Street, Suite 1400
 Cincinnati, Ohio 45202-4029

Caption: Jon Jermer

vs. Siemens Energy & Automation, I

Case No: C-1-02-448

COA No: n/a

Reporter(s): Janet Sammons

Date:Depo/Hrg	Description	Item	Qty.	Amount
2/5/2003	Deposition transcript of Jon Jermer, Volume II	Pages, Original	178	578.50
		Appearance Fee	6	240.00
		Postage	1	4.75

Terms: Net 60

Shipped Via:

Total: \$823.25

Payments/Credits: \$0.00

Balance Due: \$823.25

THANK YOU FOR YOUR BUSINESS!

E-mail: TriCountyCourt@aol.com

TRI-COUNTY COURT REPORTING & VIDEOTAPE SERVICE**95 South Fourth Street****Batavia, Ohio 45103****Phone - 513-732-1477****Fax - - 513-732-0486****Fed. I. D. No: 31-0911482****Invoice****Date: 3/17/2003****Invoice No: 2375****InvoiceTo:****Thompson, Hine, LLP****Keith P. Spiller, Esq.****312 Walnut Street, Suite 1400****Cincinnati, Ohio 45202-4029****Caption: Jon Jermer****vs. Siemens Energy & Automation In****Case No: C-1-92-448****COA No: n/a****Reporter(s): Jacqueline Seidner**

Date:Depo/Hrg	Description	Item	Qty.	Amount
2/5/2003	Deposition transcript of Stephen Kroeger.	Pages, Original	121	393.25
3/10/2003	Mailed.	Tab(s)	55	8.25
		Postage	1	5.85

Terms: Net 60**Shipped Via: US Mail****Total: \$407.35****THANK YOU FOR YOUR BUSINESS!****Payments/Credits: \$0.00****E-mail: TriCountyCourt@aol.com****Balance Due: \$407.35**

Mercantile Center
120 East 4th Street, Suite 390
Cincinnati, OH 45202
Phone: (513) 381-3330 Fax: (513) 381-3342

Job #: 830305LMC
Job Date: 03/05/2003
Order Date: 03/05/2003
DB Ref.#:
Date of Loss: / /
Your File #:
Your Client:

Invoice

Invoice #: 14713
Inv. Date: 03/17/2003
Balance: \$672.00

Bill To:
Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Action: Jermer, Jon
VS
Siemens Energy & Automation, Inc.
Action #: C-1-02-448
Rep: LMC
Cart:

Item	Proceeding/Witness	Description	Amount
1	Steve Kroeger	Original & Condensed	\$672.00
Comments: Corrected Invoice Introducing Video Teleconferencing - Call Us For Details!			Sub Total \$672.00
			Shipping \$0.00
			Tax \$0.00
			Total Invoice \$672.00
			Payment \$0.00
			Balance Due \$672.00
Federal Tax I.D.: 31-1536938		Terms: Int. Accrues @ 1.5%	

Please KEEP THIS PART FOR YOUR RECORDS.
Please FOLD along TEAR HERE and RETURN THIS PART with PAYMENT.

Bill To:
Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Deliver To:
Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Invoice

Invoice #: 14713
Inv. Date: 03/17/2003
Balance: \$672.00

Phone: (513) 381-3330
Fax: (513) 381-3342

Spangler Reporting Services, Inc
Mercantile Center
120 East 4th Street, Suite 390
Cincinnati, OH 45202

Job #: 030305LMC
Job Date: 03/05/2003
DB Ref.#:
Date of Loss: / /
Your File #:
Your Client:

Ace Reporting Services
30 Garfield Place
Suite 620
Cincinnati, OH 45202-4364
(513) 241-3200 Fax (513) 241-7958

INVOICE

INVOICE NO. 139296	DATE 04/25/2003	JOB NUMBER 01-68512
JOB DATE 04/09/2003	REPORTER(S) FARRDI	CASE NUMBER C102448
CASE CAPTION Jon Jermer vs. Siemens Energy & Automation		
TERMS Due upon receipt		

Keith P. Spiller, Esq.
Thompson Hine LLP
312 Walnut Street, Suite 1400
Cincinnati, OH 45202

ORIGINAL AND 1 COPY OF TRANSCRIPT OF:

Leslie J. Ungers

INDEX

10.00 Pages

176.25

DELIVERY: COURIER

10.00

4.50

(TAXABLE \$ 176.25)

TOTAL DUE >>>>

190.75

AFTER 05/25/2003 PAY

193.61

30 DAY SIG THROUGH YOUR COPY, ORIG/COPY DEL BY COURIER 4/25/03

TAX ID NO.: 31-0725254

(513) 352-6700

Please detach bottom portion and return with payment.

Job No. : 01-68512
Case No. : C102448
Jon Jermer vs. Siemens Energy & Autom
Invoice No.: 139296
Date : 04/25/2003
TOTAL DUE : 190.75
AFTER 5/25/2003 PAY : 193.61

PAYMENT WITH CREDIT CARD

Card Holder's Name: _____
VISA/MC #: _____
Exp. Date: _____ Phone #: _____
Billing Address: _____
Amount to Charge: _____ Zip: _____
Cardholder's Signature: _____

Remit To: Ace Reporting Services
30 Garfield Place
Suite 620
Cincinnati, OH 45202-4364

Spangler Reporting Services, Inc

Mercantile Center

120 East 4th Street, Suite 390

Cincinnati, OH 45202

Phone: (513) 381-3330 Fax: (513) 381-3342

Job #: 030306BLF

Order Date: 03/06/2003

DB Ref.#:

Date of Loss: / /

Your File #:

Your Client:

Invoice

Invoice #: 14792

Inv.Date: 03/27/2003

Balance: \$552.00

Bill To:

Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Action: Jermer, Jon

VS

Siemens Energy & Automation, Inc.

Action #: C-1-02-448**Rep:** BLF**Cart:**

Item	Proceeding/Witness	Description	Amount
1	John Hoover	Original & Condensed	\$552.00
Comments:			
Introducing Video Teleconferencing - Call Us For Details!			
Federal Tax I.D.: 31-1536938			
Terms: Int. Accrues @ 1.5%			
			Sub Total \$552.00
			Shipping \$0.00
			Tax \$0.00
			Total Invoice \$552.00
			Payment \$0.00
			Balance Due \$552.00

Please KEEP THIS PART for YOUR RECORDS.

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Bill To:

Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Deliver To:

Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Invoice

Invoice #: 14792

Inv.Date: 03/27/2003

Balance: \$552.00

Job #: 030306BLF

Job Date: 03/06/2003

DB Ref.#:

Date of Loss: / /

Your File #:

Your Client:

Spangler Reporting Services, Inc
Mercantile Center
120 East 4th Street, Suite 390
Cincinnati, OH 45202

Phone: (513) 381-3330

Fax: (513) 381-3342

Spangler Reporting Services, Inc.

The Mercantile Center Bldg.
120 East 4th Street, Suite 390
Cincinnati, OH 45202
Phone: (513) 381-3330 Fax: (513) 381-3342

Job #: 030407LMC
Job Date: 04/07/2003
Order Date: 04/07/2003
DB Ref.#:
Date of Loss: 11
Your File #:
Your Client:

Rebill

Rebill Date: 09/02/2003
Invoice #: 15312
Inv. Date: 07/18/2003
Balance: \$334.85

Bill To:

Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Action: Jermer, Jon

VS

Siemens Energy & Automation, Inc.

Action #: C-1-02-448**Rep:** LMC**Cert:**

Item	Proceeding/Witness	Description	Amount
	Chad McLelland	Copy	\$205.35
	William Zimmerman	Copy	\$129.50
Comments:			
This Invoice is Overdue. Please Pay Immediately			
Federal Tax I.D.: 31-1536938			
Terms: Net 30 Days @ 1.5%			
			Sub Total \$334.85
			Tax \$0.00
			Total Invoice \$334.85
			Finance Charge \$0.00
			Payment \$0.00
			Balance Due \$334.85

Please KEEP THIS PART for YOUR RECORDS.

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Bill To:

Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Deliver To:

Mr. Keith P. Spiller, Esq.
Thompson, Hine
312 Walnut Street
14th Floor
Cincinnati, OH 45202-4029

Rebill

Spangler Reporting Services, Inc.
The Mercantile Center Bldg.
120 East 4th Street, Suite 390
Cincinnati, OH 45202

Phone: (513) 381-3330
Fax: (513) 381-3342

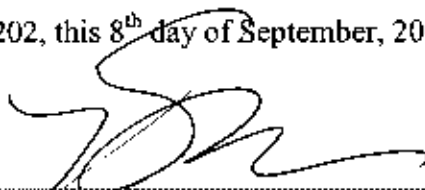
Invoice #: 15312

Inv. Date: 07/18/2003
Balance: \$334.85

Job #: 030407LMC
Job Date: 04/07/2003
DB Ref. #:
Date of Loss: 11
Your File #:
Your Client:

CERTIFICATE OF SERVICE

I hereby certify that on the 8th day of September, 2003, a copy of the foregoing Verified Bill of Costs was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. A copy has also been served by regular U.S. Mail, postage prepaid, upon David Torchia, Esq., Tobias, Kraus & Torchia, 911 Mercantile Library Building, 414 Walnut Street, Cincinnati, Ohio 45202, this 8th day of September, 2003.



Keith P. Spiller

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